

## GOVERNMENT OF ANDHRA PRADESH

### A B S T R A C T

Public Servant – Panchayat Raj Department – Allegations of Corruption against Sri Uppara Nagendrappa, S/o. Anjanaiah, Age 52 years, Assistant Engineer, PIU, Adoni Sub-Division, Kurnool District – Trap laid on 04.07.2011 – Sanction of Prosecution under the prevention of corruption Act Orders – Issued

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### PANCHAYAT RAJ & RURAL DEVELOPMENT (VIG. II) DEPARTMENT

G.O. Ms. No. 280

Dated.03-06-2013

Read the following:-

1. From the DG, ACB Rc. No. 153/RCT-KUR/2011, Dt. 11.07.2011
2. From the DG, ACB Rc. No. 153/RCT-KUR/2011, Dt. 20.12.2012

### O R D E R:

Whereas Sri U. Nagendrappa, S/o. Anjanaiah, Age 52 Years, resident of H. No. 2-384/12, Panchayat Raj Engineer's Colony at Adoni, Kurnool District worked as Asst. Engineer, PIU Sub Division, Adoni, Kurnool District during the period from 11.02.2010 to 04.07.2011 and as such, by virtue of the post held by him, he falls under the category of a Public Servant within the meaning of clause (c) of section 2 of the Prevention of Corruption Act, 1988 (Act 49 of 1988)

2. And whereas, it is alleged that Sri Nellore Rajendra Prasad, S/o. N. Bala Mukunda Prasad, Age 56 years, Spl. Class Contractor, H. No. 21/2/15/41, SKD Colony, Adoni town, Kurnool District, lodged a complaint before the Deputy Superintendent of Police, ACB, Kurnool, on 03.07.2011 against Sri U. Nagendrappa, Asst. Engineer, PIU Sub Division, Adoni, stating that he works as a Spl. Class Contractor. During the year 2009 Panchayat Raj Department called for tenders for executing 4 Kms BT road from Pedda Kadubur – Chinna Tumbalam existing BT road to Kambaladinne village. So he participated in the tender and the work was allotted to him. Later he entered into the agreement with the S.E., Panchayat Raj on 23.06.2009 for executing the road for Rs. 1,40,33,372/-. As per the work agreement, he has completed the road work by 22-06-2010. While the work was going on, he received 4 part payments. After deducting the part payments and recoveries, an amount of Rs. 46,10,648/- was still due to him. But an amount of Rs. 28,91,260/- was sanctioned to him on 06.05.2011 as a part payment and as such the amount of Rs. 17,19,388/- was still to be sanctioned to him. So he met the Assistant Engineer, PIU Sub Divn., Adoni namely Sri U. Nagendrappa on 16.05.2011 and requested him to submit the remaining bill, for which Sri U. Nagendrappa demanded the complainant to pay a bribe of Rs. 30,000/- to him in order to submit the remaining bill. So the complainant went away stating that he is unable to pay the bribe amount. The complainant again approached the Assistant Engineer, PIU, Adoni, Sri U. Nagendrappa on 29.06.2011 morning at his office and requested him regarding his final bill. Upon that Sri U. Nagendrappa reiterated his earlier demand and insisted to pay the bribe amount of Rs. 30,000/- to him and he also stated that he would not do the work unless the demanded bribe is paid to him. Due to invariable condition and unwillingly the complainant accepted to pay the said bribe amount of Rs. 30,000/- to the A.E. Later Sri U. Nagendrappa asked Sri N. Rajendra Prasad to pay the said bribe amount of Rs. 30,000/- to him on 04.07.2011 after 12 Noon at his office at Adoni.

3. And whereas it is alleged that Sri N. Rajendra Prasad who was willing to pay the bribe amount of Rs. 30,000/- to Sri U. Nagendrappa, Asst. Engineer, PIU Sub Division, Adoni lodged a complaint with the Deputy Supdt. of Police, Anti Corruption bureau, Kurnool on 03.07.2011 at 09.00 hours. After due verification, the D.S.P registered the same on 04.07.2011 at 6.30 hours in Cr. No. 5/RCT-KUR/2011 under section 7 of the P.C. Act 1988 (Act 49 of 1988) of ACB, Kurnool range and took up investigation.

4. Andwhereas, it is further alleged that during the course of investigation at the time of trap on 04.07.2011 at 12.30 hours when the complainant Sri N. Rajendra Prasad approached Sri U. Nagendrappa, S/o. Anjanaiah, Age 52 years, Asst. Engineer, PIU Sub Division, Adoni, Kurnool District. On seeing Sri N. Rajendra Prasad, the A.E., invited him inside and offered a chair renewed his earlier demand and asked the complainant whether the demanded bribe amount was brought. When Sri N. Rajendra Prasad answered affirmatively, the A.O. demanded him to pay the said bribe amount to him and also stated that he would complete the rewriting the abstract of payment in M-Book and submit the same to the Dy. EE by the next day. Accordingly the complainant paid the said tainted amount of Rs. 30,000/- to the A.O. by taking it out from his left side shirt pocket. The A.O. received the same with his right hand, counted them with his both hands and kept the same in M. Book bearing No. 8231/A. The tainted amount of Rs. 30,000/- was recovered from page No. 40 of said M-Book of AO at his instance. The Currency note numbers and denominations of tainted amount of Rs. 30,000/- tallied with those noted in the pre-trap proceedings. The D.S.P., ACB, Kurnool arrested Sri U. Nagendrappa at 21.45 hours on 04.07.2011 and sent him for remand.

5. And whereas, the said acts of Sri U. Nagendrappa, S/o. Anjanaiah, Age 52 Years, Assistant Engineer, PIU Sub-Division, Adoni, Kurnool District, constitute the offences punishable under section 7 and sub-section 13 read with clause (d) of sub-section (1) of section 13 of the Prevention of Corruption Act 1988 ( Act 49 of 1988);

6. And whereas, the Government of Andhra Pradesh being the competent authority to remove Sri U. Nagendrappa, Asst. Engineer from the Government service and after fully and carefully examining the material placed in respect of the said allegations against Sri U. Nagendrappa, Asst. Engineer, PIU Sub Division, Adoni, Kurnool District and having regard to the facts and circumstances of the case, consider that the said Sri U. Nagendrappa, Asst. Engineer, PIU Sub Division, Adoni, Kurnool District, should be prosecuted in a competent Court of Law for the aforesaid offences;

7. Now, therefore in exercise of the powers conferred under clause (b) of sub section (1) of section 19 of the Prevention of Corruption Act, 1988 (Act 49 of 1988) the Government of Andhra Pradesh hereby accord sanction for the prosecution of above said Sri U. Nagendrappa, for the above said offences punishable under section 7 and sub-section (2) of section 13 read with clause (d) of sub-section (1) of section 13 of the Prevention of Corruption Act 1988 ( Act 49 of 1988) and for any other cognate offences punishable under any other provisions of law for the time being in force in respect of the aforesaid acts for taking cognizance of the said offences by a court of competent jurisdiction.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

V. NAGI REDDY  
PRINCIPAL SECRETARY TO GOVT (PR)

To  
The Director General,  
Anti-Corruption Bureau,  
Hyderabad

Copy to  
Law (A ) Department

//FORWARDED BY ORDER//

**SECTION OFFICER**